

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

DILIP JANA

v.

WALMART, INC.

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CIVIL CASE NO. 4:24-CV-698-SDJ

**ORDER**

Before the Court is Plaintiff Dilip Jana’s Motion for Sanctions, Privilege Waiver, and Finding of Fraud on the Court under Rules 26(g), 26(b)(5), 37(c), and the Court’s Inherent Authority. (Dkt. #80). Based on a recent motion from Defendant Walmart, Inc. (“Walmart”), the Court presumes that Walmart does not intend to respond to the motion. *See* (Dkt. #85 at 3) (“Walmart respectfully requests that the Court excuse Walmart from the obligation to file response briefs to all pending and future filings by Plaintiff.”). Having reviewed the motion, the Court concludes that it should be **DENIED**.


In the motion, Jana makes arguments in support of his objections to (Dkt. #66) and in relation to a discovery dispute that the Magistrate Judge has not yet resolved. Jana also specifies that his arguments are “directed to the District Judge under [Federal Rule of Civil Procedure] 72(a).” (Dkt. 80 at 1)

The Court has already overruled Jana’s objections to (Dkt. #66). (Dkt. #91). Therefore, the present motion is moot concerning any objections to (Dkt. #66). Additionally, the present motion is premature as to the arguments relating to Walmart’s discovery responses because the Magistrate Judge has not yet ruled on

that issue. *See* FED. R. CIV. P. 72(a) (authorizing the District Judge to consider timely objections to a Magistrate Judge's written order on a nondispositive matter).

It is therefore **ORDERED** Plaintiff Dilip Jana's Motion for Sanctions, Privilege Waiver, and Finding of Fraud on the Court under Rules 26(g), 26(b)(5), 37(c), and the Court's Inherent Authority, (Dkt. #80), is **DENIED**.

**So ORDERED and SIGNED this 24th day of July, 2025.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE